

REMARKS begin on page 11 of this paper.

REMARKSTelephone Interview Summary

On July 27 at 2:00 PM, Applicant's representative participated in a telephone interview with the Examiner to discuss the present application. Prior to the interview, a proposed amendment and a Form 413A Request for an Interview was submitted to the Examiner. The independent claims of the application and the prior art references cited by the Examiner were discussed. The Examiner explained that he had not prepared the office action and therefore, was not familiar with the application and with the prior art references cited against the application. The Examiner further explained that any response to the office action that is filed should indicate where in the specification support for the claim amendments may be found. The Examiner also explained that the claims should indicate clearly that the invention is in the technological arts.

Applicant's representative agreed to identify in the response to the office action passages from the specification that support the amended claims. Applicant's representative also agreed to amend the claims to indicate more clearly that the present invention is within the technological arts. Applicant's representative explained that all of the prior art references cited against the application are directed to online applications that a consumer may complete and submit to a financial institution for processing and therefore, do not support rejection of the amended claims. Applicant's representative further explained that the present invention is directed to locating financial offers for a consumer rather than completing an online application as taught by the prior art. The prior art does not teach use of a consumer's application data and

selection criteria from financial institutions to locate financial offers from various financial institutions that may be of interest to a consumer.

The Examiner agreed to review the application, office action, prior art references, and response in view of the points discussed in the telephone interview. No agreement regarding the claims was reached.

Claim Amendments

Applicant has amended the claims to indicate clearly that the present invention selects or locates and presents to an applicant one or more financial offers. The offers are selected for the applicant according to application data submitted by the applicant and financial offering data from various financial institutions. Support for the amended claims is found in the following passages.

Page 1, lines 17-19: [T]he present invention relates to an online, real-time system that allows a user to submit financial card application data and accept a financial card offer from a participating financial institution based on predefined applicant selection criteria

Page 3, lines 5-8: The present invention is a sophisticated computer system that allows users to peruse and accept financial card offers from financial institutions interested in locating new customers who meet specific selection criteria.

Page 3, lines 10-15: A user may then be assigned a financial risk rating or grade/score based on the personal, financial, and credit history data provided to the system of the present invention. The financial risk rating may be used to locate financial card offers from financial institutions willing to extend offers to users with the specified rating. The user may then peruse the offers and accept an offer that meets his or her requirements.

Page 5, lines 14-18: When processing a transaction for a user interested in applying for a new financial card, the servers 24-34 may obtain information from the user and process it with the financial institution data stored on the database servers 36 and credit bureau information stored remotely (e.g., at the credit bureau) to determine which card offers are appropriate for the user.

Page 5, lines 18-21: The servers 24-34 also may facilitate the user's review and acceptance of any offers. Finally, the servers 24-34 may

communicate the acceptance of offers to the participating financial institutions so the users may review their new financial cards.

Page 6, lines 16-23: The process begins when a user (applicant) completes an application 40 by providing personal and financial information (application data) 42. ... A "grading system" process 48 may be employed which uses the application data, as well as other data, as input to determine which financial card offers may be presented to the applicant.

Page 6, line 25 to Page 7, line 2: The assigned grade/score may then be used to search each participating financial institution's selection criteria 50 to locate the offers that may be presented to the applicant.

Page 7, lines 8-11: The process is repeated for each financial institution. The applicant is then presented with offers appropriate for the assigned grade/score. The presentation of offers from participating financial institutions is, preferably, done in real-time on the applicant's computer display.

Page 7, lines 12-15: The grade/score assigned to the applicant by the grading system may be viewed as a financial risk rating. It takes into account various criteria and factors to determine whether a particular applicant should be extended an offer and if so, what the terms of the offer should be.

Page 8, lines 3-8: The applicant may peruse, via the computer display, the "federal box" and other details of each of the offers to find the one that is most attractive If the applicant accepts one of the offers, the application data for the applicant is forwarded to the financial institution that made the accepted offer. The financial institution then processes the application and makes arrangements to send the financial card to the applicant.

Page 9, lines 3-7: ... [F]inancial institutions are permitted to update their selection criteria and financial card term data frequently. The modified data may be uploaded as needed to the databases that support the transaction processing. A financial institution may be able to increase the likelihood its offers are accepted by changing the selection criteria ... and associated term data.

Page 10, lines 2-8: ... [T]he applicant is prompted for application data. Using the application data, the applicant's credit history data are located and retrieved for processing 72. Next 74, a grade/score is calculated and assigned to the applicant. The grade/score is calculated using the application data and credit history data obtained directly from the credit bureau in real-time. The selection criteria as embodied in each financial institution's selection matrix is reviewed to locate the financial card offers appropriate for the applicant 76. Each offer is then presented to the applicant for his or her review 78.

Page 10, lines 8-14: Offers may be presented in a variety of formats. For example, a summary of each offer may be presented in the form of a menu from which the applicant may make a selection to review details

of the offer. Alternatively, each offer may be presented in a series of single computer screen displays. If the applicant accepts an offer 80, the application data is recorded and forwarded to the financial institution sponsoring the offer 82. Otherwise, offers are presented to the applicant 78 until there are no additional offers to present 84 or the applicant quits 86.

Each of the cited passages support the amended claims that indicate financial offers are selected for users according to their application data and that a user may select from multiple offers originating from different financial institutions.

Claim Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-9 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Norris (U.S. Pat. 6,105,700) in view of "New Sites on the World Wide Web Management Accounting" (Reference E) and "Metairie Bank Joins the Internet" (Reference B). It is the Examiner's position Norris teaches Applicant's invention except for locating and presenting financial card offers. References E and B are believed to teach multiple credit card offers from multiple financial institutions. It is the Examiner's position it would have been obvious to one of ordinary skill in the art to modify the Norris invention to offer multiple cards from multiple institutions.

The Examiner has further rejected claims 10-24 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Norris, Reference B, and Reference E in further view of Lockwood (U.S. Pat. 6,289,319). It is the Examiner's position Norris, Reference B, and Reference E teach the limitations of claim 10 except for a first database for storing financial institution data comprising financial institution selection criteria and financial offering data for participating financial institutions and a second database for storing credit history data, and one or more servers adapted as claimed. It

is the Examiner's position Lockwood teaches these additional features including selection criteria for automatically processing financial applications and that it would be obvious to one of skill in the art to modify or interpret the combination of Norris, Reference B, and Reference E to implement the above features related to selection criteria as taught by Lockwood because to do so would have been an improvement in making sure the customer gets the best product and the bank gets the proper level of risk so they can make more money.

Applicant has amended the claims to indicate clearly that the present invention selects or locates and presents to an applicant one or more financial offers. In view of Applicant's amended claims, Applicant respectfully traverses the rejections. Applicant respectfully submits that the cited references, alone or in combination, do not teach selection or location of financial offers for an applicant and therefore, cannot support the present rejections.

Norris teaches an automated financial transaction processing system that allows users to apply for loans and credit cards. A user of the system completes an application for a loan or credit card and the system decides whether to approve or deny the application. The application is evaluated using an automated underwriting model that considers various criteria in deciding whether to approve or deny the loan or credit card. Norris, therefore, is directed to online loan and credit applications and the use of rating information to decide whether to approve a particular loan or credit application. Norris does not teach selecting or locating financial offers on behalf of a credit applicant.

Reference E teaches a web site that "offers a selection of online credit card applications." Although the reference does not disclose any details about the information available at the site, it appears that a user visiting the site may apply for a credit card by completing one of the online applications. References B states that in 1995, many banks planned to include at their web sites online credit card applications. References E and B do not teach selecting or locating financial offers on behalf of a credit applicant.

Norris, Reference E, and Reference B contain the same teachings. All are directed to online credit card applications. Each reference states, or in some cases simply suggests, that a user may complete an online credit card application to obtain a credit card. Norris teaches an online application for a credit card issued by a single financial institution. Reference B teaches many financial institutions, each of which may provide an online application for a credit card. Reference E suggests that online credit card applications for more than one financial institution may be available at a single site. Regardless of how many sites a user must visit to find an online application for a loan or credit card, the process that the user must complete is the same. The user must search for or locate details or information about each card of interest and then apply for the card or cards. None of the references teach offers that are selected or located for the applicant according to application data and a rating.

In contrast to the teachings of the cited references, the present invention selects or locates financial offers such as credit card offers that are appropriate for an applicant based on the applicant's credit data and rating. Applicant has amended the claims to indicate clearly that offers are selected or located for the applicant using credit data and

rating information and that the selected offers are presented to the applicant for review. An applicant may then choose one of the offers. Applicant respectfully submits the Norris, Reference E, and Reference B prior art references relied upon by the Examiner which teach the availability of online loan or credit applications and the use of ratings to approve loan or credit applications cannot support the rejection of Applicant's amended claims which are directed to selecting or locating offers for a credit applicant. Applicant further respectfully submits that Norris, Reference E, and Reference B cannot support the rejection of the claims and therefore, cannot be combined with Lockwood to support the rejection of the claims.

Applicant respectfully submits that the present application is in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

Date: August 17, 2005

Carol G. Stovsky
Carol G. Stovsky
Registration No. 42,171
Stanley Law Group LLP
495 Metro Place South
Suite 210
Dublin, Ohio 43017-5319
Tel.: 614-792-5555
Fax: 614-792-5536
Email: cstovsky@standleyllp.com